



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,266	11/21/2001	Herma Glockner	110391	2625

7590
Oliff & Berridge
PO Box 19928
Alexandria, VA 22320

07/09/2003

EXAMINER

CANELLA, KAREN A

ART UNIT	PAPER NUMBER
----------	--------------

1642

DATE MAILED: 07/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DEA/FCE-1994

09/936,266

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

1. The reply filed on May 5, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The clean copy of claims 25 and 39 differs from the marked up copy: page 6, lines 9-15 read "the supply side connected to a nutrient medium dispensing unit **with** at least one nutrient medium container, and the second supply device connected in a fluid connection with the supply side connected to a gas metering unit **with** at least one gas supply container, wherein the cell culture space has a volume of at most 5 ml and at least 0.1 ml, and further wherein the device comprises an active substance dispensing unit, a line system". On page A-6, lines 16-22 read: "the supply side connected to nutrient medium dispensing unit **including** at least one nutrient medium container, and the second supply device connected in a fluid connection with the supply side connected to a gas metering unit **including** at least one gas supply container, wherein the cell culture space has a volume of at most 5 ml and at least 0.1 ml, and further wherein the device comprises an active substance supply container, an active substance dispensing unit, **and** a line system". Claim 39 on page 8 reads "The device according to claim 25, wherein the device further includes **a monitor** for cell vitality". Claim 39 on page A9 reads "The device according to claim 25, wherein the device further includes **monitoring for cell vitality**". See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Canella whose telephone number is (703) 308-8362. The examiner can normally be reached on Monday through Friday from 8:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, can be reached on (703) 308-3995. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Karen A. Canella, Ph.D.
Patent Examiner, Group 1642
July 8, 2003